Madison School District

Doyle Administration Building 545 West Dayton Street Madison, WI 53703-1995

RECEIVED & INSPECTED

FCC - MAILROOM

DOCKET FILE COPY ORIGINAL APR 2 5 2005

SLD Billed Entity Number 133013

Date:

Tues. 21Apr.2005

To:

FCC, Office of the Secretary

445 12th Street SW Washington, DC 20554

Re.:

CC Docket No. 02-6

To Whom It May Concern:

This letter represents an appeal to the FCC following the SLD denials (dated 24Feb.2005) of an appeal (dated 4Oct.2004) to extend to the Madison Metropolitan School District, full reimbursements for Funding Year 2003. The October appeal followed our receipt of SLDs Funding Commitment Report (dated 15Sept.2004). SLDs September 2004 letter reimbursement amount was reduced due to the late filing (13Aug.2004) of E-rate 486s, which should have been completed by 31Oct.2003.

I am seeking approval of this appeal to the FCC to adjust the service start date from 13Apr.04 to 1July03 and allow full eRate reimbursements to our school district for the fiscal year July 2003 – June 2004 on the grounds that both the intent of the regulations guiding the E-rate process to insure an open competition for telecommunications services was fully met, and that there is no public good achieved by denying our underfunded public school district this critical source of funding. Funding Year 2003's 470's requesting services and 471's identifying contracted services were duly filed and passed SLD's review, resulting in SLD's Funding Commitment Reports of 1May, 11Aug. and 25Aug.2003, photo-copies of which are provided as Attachment 1., a., b., and c.

I described the reasons for my most unfortunately misunderstanding the 486 filing requirements in fall 2003 in my initial appeal to the SLD in 4Oct.2004, a copy of which is provided as Attachment 2. SLD's responses to the October appeal is provided as Attachment 3, which includes copies of 3 separate letters, sent the same day.

As one other associated document, I am also including a copy of a 6 page on-going diary I have maintained since Aug.2004, in my attempt to continue due diligence in managing associated communications on this E-rate Funding Year 2003 issue. This provides further examples of my efforts to understand and follow requirements of the E-rate system. Please see Attachment 4.

I sincerely hope the documentation provided provides a compelling case for the FCC to grant this request and approve this appeal.

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Sincerely,

Max 10. Lono

Mark H. Evans, Dir.: Technical Services Division

MARK H. EVANS, CPM

Director

Division of Technical Services

Telephone: (608) 663-5430 Fax: (608) 442-0664

Home: (608) 833-4201

E-mail: mhevans@madison.k12.wi.us

Adison etropolitan School District

545 West Dayton Street Madison, Wisconsin 53703-1995

FUNDING COMMITMENT REPORT

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Form 471 Application Number: 353089
Funding Request Number: 964409 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143001192 Service Provider Name
Service Provider Name: AT&T Corp. Contract Number: MTM
Billing Account Number: 8002-153-3668
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: $9,206.40
Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00
Pre-discount Amount: $9,206.40
Discount Percentage Approved by the SLD: 52%
Funding Commitment Decision: $4,787.33 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The dollars requested were reduced for products/services received outside the current funding year.
                                                                                                                                                                                                                                                                                                                                                          Service Provider Name: AT&T Corp.
   products/services received outside the current funding year.
 Funding Request Number 964430 Funding Status: Funded Services Ordered: Telecommunications Service SPIN: 143001192 Service Provider Name: AT&T Corp.
SPIN: 143001192/
Contract Number: MTM

Billing Account Number: 1000-762-9388

Earliest Possible Effective Date of Discount: 07/01/2003

Contract Expiration Date: 06/30/2004

Annual Pre-discount Amount for Eligible Recurring Charges: $12,124.68

Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00

Pre-discount Amount: $12,124.68

Discount Percentage Approved by the SLD: 52%

Funding Commitment Decision: $6,304.83 - FRN approved as submitted
  Funding Request Number 964446 Funding Status: Funded Services Ordered: Telecommunications Service SPIN: 143001192 Service Provider National Service 
                                                                                                                                                                                                                                                                                                                                                          Service Provider Name: AT&T Corp.
Service Provider Name: AT&T Contract Number: MTM

Billing Account Number: 1000-752-6832

Earliest Possible Effective Date of Discount: 07/01/2003

Contract Expiration Date: 06/30/2004

Annual Pre-discount Amount for Eligible Recurring Charges: $306.60

Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00

Pre-discount Amount: $306.60

Discount Percentage Approved by the SLD: 52%

Funding Commitment Decision: $159.43 - FRN approved as submitted
  Funding Request Number: 964493 Funding Status: Funded Services Ordered: Telecommunications Service SPIN: 143003128 Service Provider National Service
                                                                                                                                                                                                                                                                                                                                                          Service Provider Name: Ameritech Mobile Services, Inc.
 SPIN: 143003128

Contract Number: MTM

Billing Account Number: 608-z29-1001-000-7

Earliest Possible Effective Date of Discount: 07/01/2003

Contract Expiration Date: 06/30/2004

Annual Pre-discount Amount for Eligible Recurring Charges: $720.48

Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00

Pre-discount Amount: $720.48

Discount Percentage Approved by the SLD: 52%

Funding Commitment Decision: $374.65 - FRN approved as submitted
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FUNDING COMMITMENT REPORT

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Form 471 Application Number 353089
Funding Request Number: 964515 ) Funding Status: Funded
Services Ordered: Telecommunications Service
Service Provider Name: Ameritech Mobile Services, Inc.
Eilling Account Number: 608-Z16-2001-959-9
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: $19,238.64
Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00
Pre-discount Amount: $19,238.64
 Discount Percentage Approved by the SLD: 52% Funding Commitment Decision: $10,004.09 - FRN approved; modified by SLD Funding Commitment Decision Explanation: The dollars requested were reduced to remove the ineligible service CD-ROM
 Funding Request Number: 964536 Funding Status: Funded Services Ordered: Telecommunications Service SPIN: 143016007 Service Provider Name of Servic
                                                                                                                                                                                                              Service Provider Name: TDS Metrocom
  Contract Number: MTM
Contract Number: MTM
Billing Account Number: 608-204-0373
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: $126,490.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00
Pre-discount Amount: $126,490.20
Discount Percentage Approved by the SLD: 52%
Funding Commitment Decision: $65,774.90 - FRN approved as submitted
 Funding Request Number: 964554 Funding St. Services Ordered: Telecommunications Service SPIN: 143016007 Service
                                                                                                                                                                                            Funding Status: Funded
                                                                                                                                                                                                               Service Provider Name: TDS Metrocom
Contract Number: MTM
Billing Account Number: 608-845-6995
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: $1,948.80
Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00
 Pre-discount Amount: $1,948.80
Discount Percentage Approved by the SLD: 52%
Funding Commitment Decision: $1,013.38 - FRN approved as submitted
 Funding Request Number (964571) Funding Status: Funded Services Ordered: Telecommunications Service SPIN: 143016007 Service Provider Name: TDS Metroeom
SPIN: 143016007
Contract Number: MTM
Billing Account Number: 608-204-7999
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: $237,678.24
Annual Pre-discount Amount for Eligible Non-recurring Charges: $.00
Pre-discount Amount: $237,678.24
Discount Percentage Approved by the SLD: 52%
Funding Commitment Decision: $123,592.68 - FRN approved as submitted
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FUNDING COMMITMENT REPORT

Form 471 Application Number: 353089
Funding Request Number (964599) Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143016007 Service Provider Name: TDS Metrocom
Contract Number: MTM
Billing Account Number: 0002439565
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Site Identifier: 61837
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,659.36
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,659.36
Discount Percentage Approved by the SLD: 40%
Funding Commitment Decision: \$663.74 - FRN approved as submitted

EUNDING COMMITMENT REPORT Form 471 Application Number: 333119
Funding Request Number: 964137 Funding St.
Services Ordered: Telecommunications Service
SPIN: 143001042 Service Funding Status: Funded Service Provider Name: Madison Cellular Tele Service Provider Name: Madison Cellular Tele
Contract Number: MTM
Billing Account Number: 335019568
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: \$72,241.80
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$72,241.80
Discount Percentage Approved by the SLD: 52%
Funding Commitment Decision: \$37,565.74 - FRN approved; modified by SLD
Funding Commitment Decision: Explanation: The dollars requested were reduced to remove the cost of cellular phones and accessories. Funding Request Number (964250 Funding Status: Funded Services Ordered: Telecommunications Service SPIN: 143003128 Service Provider Name: Ameritech Mobile Services, Inc. 43, 307. 7 de donard on initial was for Annual coats. K, 823.15

Attachment 100

FUNDING COMMITMENT REPORT

Form 471 Application Number: 352679
Funding Request Number: 950716 Funding Status: Funded
Services Ordered: Internet Access
SPIN: 143004351 Service Provider Name: WiscNet
Contract Number: MadisonSD-0304-YC
Billing Account Number: MadisonSD1
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Annual Pre-discount Amount for Eligible Recurring Charges: \$47,262.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$47,262.00
Discount Percentage Approved by the SLD: 52%
Funding Commitment Decision: \$24,576.24 - FRN approved as submitted

Doyle Administration Building 545 West Dayton Street Madison, WI 53703-1995

AHACKMENT Z

To: Letter of Appeal, Schools and Libraries Division

Box 125, Correspondence Unit

80 S. Jefferson Road Whippany, NJ 07981

Date: 4 October 2004

Re: Appeal of SLD 486 Notification Letter for E-rate Funding Year 2003 (07/01/2003–06/30/2004; E-rate Year 6)

1. Mark H. Evans, 545 W. Dayton St., Madison, WI 53703

Phone: 608-663-5430 FAX: 608-442-5430

mhevans@madison.k12.wi.us

2. This letter is an Appeal of SLD 486 Notification Letter, dated 15 Sept. 2004

The FRN Service Start Date changes are being appealed.

Billed Entity # from 486: 133013

Billed Entity Name: Madison Metropolitan School District Funding Year: Year 6 = 2003 = 07/01/2003 - 06/30/2004

Date of 486 Notification Letter: 15 Sept 2004

This Appeal is for the following services:	471 Applic.#	FRN being appealed:	SPIN	Billing Acct #	Funding Commitmt Rpt	Funding Commitment Notific. Itr amt.:
Madison Cellular Tele.Co.	353119	964137	143001042	335019568	\$37,565.74	\$9,391.44
Ameritech Mobile Serv, Inc.	353119	964250	143003128	0800001117785	\$3,615.65	??
Ameritech Mobile Serv, Inc.	353089	964493	143003128	608-z29-1001-000-7	\$374.65	\$93.66
Ameritech Mobile Serv, Inc.	353089	964515	143003128	608-z16-2001-959-9	\$10,004.09	\$2,501.02
TDS Metrocom	353089	964536	143016007	608-204-0373	\$65,774.90	\$16,443.72
TDS Metrocom	353089	964554	143016007	608-845-6995	\$1,013.38	\$253.35
TDS Metrocom	353089	964571	143016007	608-204-7999	\$123,592.68	\$30,898.17
TDS Metrocom	353089	964599	143016007	2439565	\$663.74	\$165.93
TDS Metrocom	353212	964763	143016007	825-526-1325	\$79,694.72	\$19,923.68
SBC Wisconsin	353212	964781	143001856	608-R71-1869-869-5	\$6,736.50	\$1,684.12
TDS Metrocom	353212	964794	143016007	825-526-5424	\$855.00	\$213.75
TDS Metrocom	353212	964795	143016007	825-526-5224	\$842.40	\$210.60
TDS Metrocom	353212	964822	143016007	166667280	\$249.29	\$62.32
					\$330,982.74	\$81,841.76

This appeal is filed based on information I received in Sept. 2003, that 486 forms for the 2003-2004 fiscal year were now required only for discounted services and not for services to be reimbursed based on SLD 471 Receipt Acknowledgement Letters received in spring 2003 and then the SLD Funding Commitment Reports in June-Aug 2003. I duly filed a 486 form for a discounted service (Internet access) on 29 Sept. 2003 and understood over the phone from a vendor that changes in SLD forms did not require 486 filings with other services which would be reimbursed after the fact. I was delighted to hear that, knowing this would save me time and grateful to hear of this apparent step to streamline the E-rate filing process. (This also made logical sense to me since the E-rate process designed to insure open competition for FCC approved vendors was clearly applied though the 470 posting process and the 471 filings which SLD acknowledged in their receipt acknowledgement and funding commitment reports.) I always believe in verifying critical information, however, and I called someone at SLD in Sept. 2003 to do a reality check on my understanding and that person clarified that I would not need to file a 486 for the FRNs in question. Unfortunately, I sincerely regret finding no note on this in my files. My emphatic bottom line is that I have consistently tried to be extremely diligent in stepping through all E-rate filing

procedures to insure that students in our public school system have access to every possible resource we can provide. In these frustrating times when public education is so sadly under-funded we must not let unfortunate bureaucratic missteps deprive our children and schools of resources they need, especially, when the intent of regulations around E-rate funding has been clearly and properly served. I ask for your help in restoring the fully budgeted 2003-2004 funding commitments to insure that our school system does not loose the additional \$215,494.78 in reimbursements.

Three attachments are provided as documentation of my due diligence to keep current with our district's E-rate form filing obligations:

- an email I sent to some administrators within the Madison Metropolitan School District on 12 Sept. 2003 summarizing where I thought we were on Funding Year 2002, Funding Year 2003 and Funding Year 2004 E-rate related filings; I was trying to be very thorough in providing this background due to an impending trip out of the country I was taking in Oct. 2003
- 2. a 1 page landscape printed spreadsheet summarizing Year 6 E-rate form numbers that I was using to track form filings and anticipated reimbursements
- 3. a 3 page spreadsheet tracking all Year 6 E-rate applicable invoices, as compiled in Aug. 2004

NOTE:

- Funding Commitments on the following FRN's are NOT being appealed as these telecommunications services were not provided: 964409, 964430, 964446
- Although the Funding Commitment Report projected reimbursements for the above list of services totals \$330,982.74, because actual invoices for these services were less than budgeted, our school district's recalculated E-rate eligible reimbursement total has been projected to be \$268,054.34. The Notification Letter total is based on a prorated portion of the originally budgeted services; when based on a prorated portion of the actual invoices, the new SLD eligible amount for these services drops to \$52,559.56, meaning MMSD would loose \$215,494.78 in reimbursements.
- The grey cell containing ?? in the table represents an apparent error of missing data on the 486 Notification Letter, p.6, dated 15 Sept 2004. I notified Jackie Creel of this error on 1 & 2 Sept. 04 as I received the letter prior to the date stamp.

Sincerely,

Mark Evans: Dir. Technical Services, Madison Metropolitan School District

CC:

Roger Price: Secretary to Board of Education, Madison Metropolitan School District Assistant Superintendent: Department of Business Services

Robert Bocher: Technology Consultant, WI Dept. of Public Instruction, Division for Libraries, Technology and Community Learning, P.O. Box 7841, Madison, WI 53707-7841, 608-266-2127; fax: 608-266-2529 robert.bocher@dpi.state.wi.us

From:

Mark Evans

To:

Roger Price

Date: Subject: 9/12/2003 10:07:20 AM Yr 5, 6, 7 eRate update

Roger.

This is a summary of some eRate related info:

Yr5: ending last 30June:

<u>eRate "Committment"</u> [from Spring02, based on <u>anticipated, qualifying</u> reimbursable costs] (anticipated, qualifying, based on contract projections in Jan02 and sample monthly service invoices from 2001): **\$283.188.11**

"actual" eRate reimbusement: \$247,324.01 [we anticipated actual to be \$4,070 more, but determined on 11Sept. that the \$4,070 could not qualify because it was service provided by a vendor (SBC) not covered by any 471 eRate form filed in Jan.02

Note: of the actual:

\$23,882.69 was already realized through billing discounts (from WiscNet)

Candie is verifying whether \$21,048.69 (from USCellular) was already provided through billing discounts [Candie

believes we should be getting a check; USCellular tells me they already provided discounts; 'til Candie and USC agree,

I can not process the 2 BEAR forms for this, which must be done this month] checks should be coming within the next several weeks for:

CO COT CA for ATRI long distance reimburgements

\$2,287.61 for AT&T long distance reimbursements

\$200,105.02 for TDS phone and data line reimbursements

Yr6: current year:

<u>eRate Committment:</u> currently up to \$366,810.57; I am trying for inclusion of another \$49,187, but SLD folks have been saying that additional amt. is ineligible; this will be resolved, 1 way or the other, within a few weeks; I have shared discussions on this with DPI eRate people

Yr7: beginning 1July04, for which paper processing will begin in Nov/Dec03

new eligibility criteria are to be announced by SLD late this month; hopefully, this will include some additional segments of service which might increase our reimburseable amt in F05 (which would generate revenue in fall 05)

Note: Joe & I will be meeting by early Nov. to review info on relevant services, current and projected vendors and relevant service contracts & what might be out as an RFP in Jan in preparation for Yr7 forms' submissions

Mark

CC:

Candie Steffen; Donna Williams; Douglas Pearson; Joe Anderson

MATERIAL S	Sheat #		Ye	ar 6 eRat	e: = Fund	ling Year 20	03 = 1	July200	3 - 30June20	04			
	Entity Number: 133013		· · · · · · · · · · · · · · · · · · ·								- · ·	1	
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vendor		SPIN	Acct#	Monthly cost	annual cost:	Commit. Request	FRN	Identifier	& Submit Date	Attachment #	& submit date	commitmt rpt	differen
WiscN		143004351			\$47,261.95	\$24,576.24	950716	wiscn470	500360000440678 10Dec02	471yr6a WN-4-YC	352679 80222 1 5Jan03	\$24,576.24	
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SBC	paging services	143003128	800001117785	\$11,953.17	\$143,438.04	\$43,387.7 <u>8</u>	964250	-1-470	040070000444470	sbc-y-6	353089	\$3,615.65	\$39,772
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AT&T	Corp	143001192		†	-			,	100,000,2		23.Janr03	== · · · ·	
\L	Interstate Dedicated	\\	8002-153-3668	\$ 767.20	\$9,206.40	\$4,787.33	964409			alt-y-6	AT&T	\$4,787.33	
	Private Line service OneNet Service: digital i	ncoming cost	1000-762-9388	\$1,010,39	\$12,124.68	\$6,304.83	964430	_		att2-y-6	Services	\$6,304:83	}
1	OneNet Service: 800# s		1000-752-6832	\$25.55	\$306.60	\$159.43	964446			att3-y-6	cancelled	\$159.43	<i>></i>
SBC		143003128				*							
\	all other remote site ISD	Ns	608-Z29-1001-000-7	\$60.04	\$720.48	\$374.65	964493			sbcphn1	ŀ	\$374.65	
TOBA	ISDN for Chavez	143016007	608-Z16-2001-959-9	\$1,628.22	\$19,538.64	\$10,160.09	964515			sbcphn2	-	\$10,004.09	\$156
177"	misc. analog lines:	, 140010001	608-204-0373	\$10,540.85	\$126,490.20	\$65,774.90	964536			tds1-y-6		\$65,774.90	
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1 \	forest & observatory:												
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	DSL & Internet		825-526-5424	\$137.02	\$1,644.24	\$855.00	964794			wan3-y-6		\$855.00	
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1	DOL WINDING			900.001	\$860,896.63	\$415,997.61	JO-TOEZ			**************************************		\$366,810.57	\$49,187
Note	: \$5,000/mo deducted from	m monthly o	ager costs to derive	funding regu	est due						-· · · · · · · · · · · · · · · · · · ·		
	ortion of pager use for non-		•	randing radu	-	See Note @	bottor	n of Yr6	ехр	ected post June	04 reimbursement:	\$342,234.33	╛
11.5					[Invoice			L				

\mar	cianice\eRate\vr6 invoice summ	arv.xls							
# on	To be remainded and the second second	PO date	PO# amt	actual sub- totals:	projected Budget:	= 52% of Yr6 subtot.amt	eRate commitment:	PER AND	Notes:
	Internet Access: WiscNet			\$47,261.95	\$47.261.95		\$24.576.24		
	Telecommunications Service Portable phones US Cellular 335-019-568 22-Aui-03 22-Aui-03 22-Seo-03 22-Nov-03 22-Nov-03 22-Jar-04 22-Mar-04 22-Mar-04 22-May-04 22-Jur-04	6-Aug-03, 5-Sep-04 29-Sep-03 5-Nov-03 16-Dec-03 30-Dec-03 5-Feb-04 1-Mar-04 1-May-04 1-Jun-04	510521 \$7.452.63 511088 \$6.461.11 511808 \$6.974.30 512788 \$7.187.03 512972 \$6.345.91	\$80,001,60	\$90.044.52	\$41,600,83		Section of the control of the contro	
3	Pagers SBC Paging Services 800-001-117785 1-Jul-03 1-Dec-03 1-Feb-04 1-Mar-04 1-Apr-04 1-Jun-04	10-Dec-03 17-Feb-04 4-Mar-04 16-Apr-04 19-May-04	509367 \$9.679.59 512616 \$407.78 513880 \$26.28 514283 \$80.95 515061 \$50.00 515630 \$8.24 515972 \$78.95	\$10,331.79					no other Yrê bilis
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t	15-Aug-03 17-Sep-03 510866 \$56.85			· +			
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T .	SLD had funding commitment for AT&T service	e NOT used	\$21,637.68	\$11,251,59	\$11.251.59	60,00	ATOT condess consulted
1	SLD had funding commitment for SBC re	emote ISDNs:	\$720.48	\$374.65	\$374.65	50.00	
1	SDL had funding commitment for special line	for Memorial:	\$1,659.36	\$663.74	\$663.74	6	
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Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2003-2004

February 24, 2005

Mark H. Evans Madison Metropolitan School District 545 W Dayton Street Madison, WI 53703-1967

Re: Applicant Name:

MADISON METRO SCHOOL DISTRICT

Billed Entity Number:

133013

Form 471 Application Number:

353089 273610

Form 486 Application Number: Funding Request Number(s):

Avan 25 Apre 05 964493, 964515, 964536, 964554, 964571,

964599

Your Correspondence Dated:

October 04, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2003 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s):

964493, 964515, 964536, 964554, 964571,

964599

Decision on Appeal:

Denied

Explanation:

On appeal, you are seeking the reversal of the SLD's decision to adjust the Service Start Date (SSD) and the funding commitment amount due to missing the Form 486 120-day deadline. In support of your request, you maintain that you had previously received documentation in September of 2003 that Form 486's for the Funding Year 2003-2004 were now required only for discounted services and not for services to be reimbursed based on the Form 471 Receipt Acknowledgement Letters received in the spring 2003 and then the SLD Funding Commitment Reports in June-August 2003. While you filed the Form 486 for the discounted Internet Access, you understood from a service provider that changes

in the SLD forms did not require Form 486 filings for the other services that are reimbursed after the fact. Additionally, you maintain that you contacted someone at SLD in September, 2003 to verify that it was not necessary to file a Form 486 for the FRNs referenced on the appeal. You have included three examples of the documentation you maintained to support the amount of funding requested. You have written documentation to support the change in procedures and on this basis you are requesting the restoration of the service start date back to July 1, 2003.

- Upon review of the appeal letter, the relevant facts, and supporting
 documentation, SLD determined that the Form 486 for this funding request should
 have been filed within 120-days calculated from the issuance date of the Funding
 Commitment Decision Letter or the Service Start Date as indicated on the Form
 486, whichever is later. It is responsibility of the applicant to ensure that all
 Forms are submitted to SLD in a timely and correct manner.
- The date of your Funding Commitment Decision Letter (FCDL) for Form 471 application 353089 was August 25 (2003) The Service Start Date reported on your Form 486 was July 1, 2003. The postmark date of your Form 486 was August 13, 2004. Since your FCC Form 486 was postmarked more than 120 days after your Service Start Date or the date of your FCDL, whichever is later, the SLD has revised your Service Start Date to the date 120 days before your Form 486 postmark date and reduced your funding commitment amount based on the adjusted Service Start Date.

The "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later." See 2003 Funding Commitment Decision Letter, Universal Service for Schools and Libraries, Receipt of Service Confirmation Form, OMB 3060-0853, Instructions at 6. Since your Form 486 was postmarked after the 120 day filing requirement, the SLD has modified your service start date. The facts present in this appeal do not justify waiving the 120 day filing requirement. Consequently, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.



Schools and Libraries Division Universal Service Administrative Company	
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Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

February 24, 2005

Mark H. Evans Madison Metropolitan School District 545 W Dayton Street Madison, WI 53703-1967

Re: Applicant Name: MADISON METRO SCHOOL DISTRICT

Billed Entity Number: 133013 Form 471 Application Number: 353119 Form 486 Application Number: 273610

Funding Request Number(s): 964137, 964250 Your Correspondence Dated: / October 04/2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2003 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s):

->964137 **Denied**

Decision on Appeal:

Explanation:

• On appeal, you are seeking the reversal of the SLD's decision to adjust the Service Start Date (SSD) and the funding commitment amount due to missing the Form 486 120-day deadline. In support of your request, you maintain that you had previously received documentation in September of 2003 that Form 486s for the Funding Year 2003-2004 were now required only for discounted services and not for services to be reimbursed based on the Form 471 Receipt Acknowledgement Letters received in the spring 2003 and then the SLD Funding Commitment Reports in June-August 2003. While you filed the Form 486 for the discounted Internet Access, you understood from a service provider that changes in the SLD forms did not require Form 486 filings for the other services that are reimbursed after the fact. Additionally, you maintain that you contacted someone

at SLD in September, 2003 to verify that it was not necessary to file a Form 486 for the FRNs referenced on the appeal. As demonstrations of your diligence to tracking the e-rate funding processes, you have included three examples of the documentation you maintained to support the amount of funding requested and returned and additional correspondence as a status report. While you do have any written documentation to support the change in the procedures you have cited, on this basis you are requesting the restoration of the service start date back to July 1, 2003.

- Upon review of the appeal letter, the relevant facts, and supporting
 documentation, SLD determined that the Form 486 for this funding request should
 have been filed within 120-days calculated from the issuance date of the Funding
 Commitment Decision Letter or the Service Start Date as indicated on the Form
 486, whichever is later. It is responsibility of the applicant to ensure that all
 Forms are submitted to SLD in a timely and correct manner.
- The date of your Funding Commitment Decision Letter (FCDL) for Form 471 application 353119 was August 11, 2003. The Service Start Date reported on your Form 486 was July 1, 2003. The postmark date of your Form 486 was August 13, 2004. Since your FCC Form 486 was postmarked more than 120 days after your Service Start Date or the date of your FCDL, whichever is later, the SLD has revised your Service Start Date to the date 120 days before your Form 486 postmark date and reduced your funding commitment amount based on the adjusted Service Start Date.

The "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later." See 2003 Funding Commitment Decision Letter, Universal Service for Schools and Libraries, Receipt of Service Confirmation Form, OMB 3060-0853, Instructions at 6. Since your Form 486 was postmarked after the 120 day filing requirement, the SLD has modified your service start date. The facts present in this appeal do not justify waiving the 120 day filing requirement. Consequently, your appeal is denied.

Funding Request Number(s):

964250

Decision on Appeal:

Denied 3

Explanation:

• On appeal, you are seeking the reversal of the SLD's decision to adjust the Service Start Date (SSD) and the funding commitment amount due to missing the Form 486 120-day deadline. In support of your request, you maintain that you had previously received documentation in September of 2003 that Form 486s for the Funding Year 2003-2004 were now required only for discounted services and not for services to be reimbursed based on the Form 471 Receipt Acknowledgement Letters received in the spring 2003 and then the SLD Funding Commitment Reports in June-August 2003. While you filed the Form 486 for the discounted Internet Access, you understood from a service provider that changes in the SLD forms did not require Form 486 filings for the other services that are

reimbursed after the fact. Additionally, you maintain that you contacted someone at SLD in September, 2003 to verify that it was not necessary to file a Form 486 for the FRNs referenced on the appeal. As demonstrations of your diligence to tracking the e-rate funding processes, you have included three examples of the documentation you maintained to support the amount of funding requested and returned and additional correspondence as a status report. While you do have any written documentation to support the change in the procedures you have cited, on this basis you are requesting the restoration of the service start date back to July 1, 2003.

- Upon review of the appeal letter, the relevant facts, and supporting documentation, SLD determined that the Form 486 for this funding request should have been filed within 120-days calculated from the issuance date of the Funding Commitment Decision Letter or the Service Start Date as indicated on the Form 486, whichever is later. It is responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.
- The date of your Funding Commitment Decision Letter (FCDL) for Form 471 #
 353119 was August 11, 2003. The Service Start Date reported on your Form 486
 was July 1, 2003. The postmark date of your Form 486 was August 13, 2004.
 Since your Form 486 was postmarked after the 120 day filing requirement, the
 SLD has revised your Service Start Date to the date 120 days before your Form
 486 postmark date.

The "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later." See 2003 Funding Commitment Decision Letter, Universal Service for Schools and Libraries, Receipt of Service Confirmation Form, OMB 3060-0853, Instructions at 6. Since your Form 486 was postmarked after the 120 day filing requirement, the SLD has modified your service start date. The facts present in this appeal do not justify waiving the 120 day filing requirement. Consequently, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division Universal Service Administrative Company					
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Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

February 24, 2005

Mark H. Evans Madison Metropolitan School District 545 W Dayton Street Madison, WI 53703-1967

Re: Applicant Name: MADISON METRO SCHOOL DISTRICT

Billed Entity Number: 133013 Form 471 Application Number: 353212 Form 486 Application Number: 273610

Funding Request Number(s): 964763, 964781, 964794, 964795, 964822

Your Correspondence Dated: October 04, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2003 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

<u>Funding Request Number(s)</u>: 964763, 964781, 964794, 964795, 964822

Decision on Appeal: Denied

Explanation:

• On appeal, you are seeking the reversal of the SLD's decision to adjust the Service Start Date (SSD) and the funding commitment amount due to missing the Form 486 120-day deadline. In support of your request, you maintain that you had previously received documentation in September of 2003 that Form 486s for the Funding Year 2003-2004 were now required only for discounted services and not for services to be reimbursed based on the Form 471 Receipt Acknowledgement Letters received in the spring 2003 and then the SLD Funding Commitment Reports in June-August 2003. While you filed the Form 486 for the discounted Internet Access, you understood from a service provider that changes in the SLD forms did not require Form 486 filings for the other services that are reimbursed after the fact. Additionally, you maintain that you contacted someone

at SLD in September, 2003 to verify that it was not necessary to file a Form 486 for the FRNs referenced on the appeal. As demonstrations of your diligence to tracking the e-rate funding processes, you have included three examples of the documentation you maintained to support the amount of funding requested and returned and additional correspondence as a status report. While you do have any written documentation to support the change in the procedures you have cited, on this basis you are requesting the restoration of the service start date back to July 1, 2003.

- Upon review of the appeal letter, the relevant facts, and supporting documentation, SLD determined that the Form 486 for these funding requests should have been filed within 120-days calculated from the issuance date of the Funding Commitment Decision Letter or the Service Start Date as indicated on the Form 486, whichever is later. It is responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.
- The date of your Funding Commitment Decision Letter (FCDL) for Form 471 application 353212 was June 30, 2003. The Service Start Date reported on your Form 486 was July 1, 2003. The postmark date of your Form 486 was August 13, 2004. Since your FCC Form 486 was postmarked more than 120 days after your Service Start Date or the date of your FCDL, whichever is later, the SLD has revised your Service Start Date to the date 120 days before your Form 486 postmark date and reduced your funding commitment amount based on the adjusted Service Start Date.

The "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later." See 2003 Funding Commitment Decision Letter, Universal Service for Schools and Libraries, Receipt of Service Confirmation Form, OMB 3060-0853, Instructions at 6. Since your Form 486 was postmarked after the 120 day filing requirement, the SLD has modified your service start date. The facts present in this appeal do not justify waiving the 120 day filing requirement. Consequently, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Universal Serv	rice Administrat	ive Company		
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Review of Current Yr6 eRate issues:

(1July03-30June04)

Background:

On Thurs.12Aug.04, preparations were made to seek Yr6 eRate telecommunications reimbursements, per SLDs May, June, Aug 03 Funding Commitment Reports (= FCDL = Funding Commitment Decision Letters of 1May, 30June,

11Aug, 25Aug); these FCDL's cover 17 MMSD requests (sorted by 471 Application #), per box at left [FRN = Funding Request #; SPIN = Service Provider Identifier #]

As a consequence of encountering error messages on the SLD Web site [SLD Case # 21-117828], I spoke with 4 different SLD staff and received tech support from Jackie who pointed out that 486s should have been filed within 120 day window following the 1st day of Yr6 service (by 31Oct.03). I explained I had been told in summer 2003 by a service provider

		471 Applic.#	FRN	SPIN	funding commitmt rot
1	WiscNet	352679	950716	143004351	\$24.576.24
2	Madison Cellular Tele.Co.	353119	964137	143001042	\$37,565.74
3	Ameritech Mobile Serv, Inc.		964250	143003128	\$3,615.65
4	AT&T Corp	353089	964409	143001192	\$4,787.33
5	AT&T Corp		964430	143001192	\$6,304.83
6	AT&T Corp		964446	143001192	\$159.43
7	Ameritech Mobile Serv, Inc.		964493	143003128	\$374.65
8	Ameritech Mobile Serv, Inc.		964515	143003128	\$10,004.09
9	TDS Metrocom		964536	143016007	\$65,774.90
10	TDS Metrocom		964554	143016007	\$1,013.38
11	TDS Metrocom		964571	143016007	\$123,592.68
12	TDS Metrocom		964599	143016007	\$663.74
13	TDS Metrocom	353212	964763	143016007	\$79,694.72
14	SBC Wisconsin		964781	143001856	\$6,736.50
15	TDS Metrocom		964794	143016007	\$855.00
16	TDS Metrocom		964795	143016007	\$842.40
17	TDS Metrocom		964822	143016007	\$249.29
		Yr6 tota	l eRate proje	ected funding:	\$366,810.57

Total expected reimbursements (excluding WiscNet discount): \$342,234.33

in WI and an SLD staffer that I had needed to complete a 486 only for WiscNet in the summer of 2003 because we were seeking up-front discounts for service from WiscNet, but that I had asked specifically about 486s for the other FRNs and understood they were not necessary. I clearly understood that because our school district had followed all procedures for an open vender competition through the 470 postings and had then properly filed 471s, and then received our FCDLs, all was in order for our Yr6 eRate applications for reimbursements via 472 forms during the 120 day window after the completion of the service cycle. Jackie explained this was not the case, encouraged me to proceed with filing the 486, and pending any issues SLD might raise, be prepared to appeal our case.

- I phoned Bob Bocher, WI DPI's assigned state level eRate coordinator for advice and left a voice message. Mr. Bocher called back ~7:30am Fri. 13Aug. and reviewed the issues with me. He said we may anticipate that this will go to an appeal, despite MMSD's clear effort to abide by the intent of the law: to provide open competition for service providers and have FCC approved providers, service fees and reimbursement rates approved by SLD.
- I reviewed this issue with Roger Price at 8am Fri.13Aug.

For the Yr.6 spreadsheet with Account #s & FRNs, etc, see: \markroger\eRate related\Yr6 eRate data.xls; for a summary of actual Yr. 6 invoices to request reimbursements, see: \markroger\eRate related\vr6 invoice summary.xls

Ongoing notes:

sent by Mark, Tues, 8Mar, 2005, 4:15pm; Roger,

While I'm trying to figure out if & how the exciting info below applies to us... I have a short update on Yr.6, following my mtg w/ Bob Bocher @ DPI today. Regardless of other things (including the resurrected Yr. 6 SPIN id issue raised by SLD yesterday) at this point, I will be drafting an appeal to the FCC ... likely by next Fri. ... to pass back to Bob to review. The appeal is due Fri. 22Apr. so there's a fair amt. of time to get feedback on this. (... & I will be letting Lynda Schatz know about my conversation with Bob...) If that appeal fails, we will be taking another approach, which will carry this issue into the summer. If all fail (& I'm not good a probabilities on this) and we do not get the whole (appropriate) kielbasa, we should still get just over \$42,000. I will review some details with you, when I catch you in. Mark

>>> "Sanders, Stephen DPI" <Stephen.Sanders@dpi.state.wi.us> 3/8/2005 3:44:55 PM >>>

The SLD issued a sample Receipt Acknowledgement Letter (RAL) today for FY 2005. You can correct much of the information on your Form 471 by correcting the RAL within 3 weeks of the date on your RAL. Details are in the Receipt Acknowledgement Letter. SLD posted a sample today at: http://www.sl.universalservice.org/data/pdf/SampleLetters/471RAL AP.pdf For example, several of you had called saying that you had made mistakes on Item 25d on the Form 471 and wanted to know how to correct it. It can be corrected on the RAL. Item H on page 4 of the sample RAL tells how to do it. If you need to make corrections, be careful not to let the 3 week time period for making corrections lapse.

sent by Mark, Mon.7Mar.2005, 11:32am:

Pauline, I accept whatever instructions you provide. I do authorize you to proceed and cancel FRN 964781. Please let me know when this has been done and I will then do my best to follow whatever instructions there are to file 472 invoice deadline extensions. Mark

>>> SLD Problem Resolution <sld-problem-resolution@pearson.com> 3/7/2005 11:14:32 AM >>>

As per telephone conversation,

You must submit a separate form for each spin number whose services you have already received and paid for since your actual service date. Therefore, you must file a separate form 472 for FRN 964781.

I will need your authorization to cancel FRN 964781, since this was not filed under a separate invoice. In your authorization letter please state that you would like for me to cancel FRN 964781. Once I receive your authorization, I will proceed to cancel that FRN.

You will then need to file an invoice deadline extension request. Instructions on how to file this can be found on our website. You will need to click on reference area on the home page, and then click on the folder that says deadlines. Then click on invoicing deadlines and extensions. Once your extension has been approved, then you can file a form 472 for that FRN.

Thank you, Pauline Njuguna, Client Service Bureau/Problem Resolution, Schools and Libraries Division, Help Line: (888) 203-8100, Fax: (888) 276-8736 E-Mail: sld-problem-resolution@pearson.com

sent by Mark, (cc, Roger) Mon.7Mar.2005, 8:21am:

case number 21-170182, 471 App.# 353212, Mark H. Evans, Dir. Technical Services

<u>I do not understand your request.</u> The Year 6, 471 Application # 353212 included several TDS Metocom services including FRN 964781. This is acknowledged in the SLD "471 Receipt Acknowledgment Letter" dated 7Mar.2003. My Year 6 471 request for reimbursement was based on the projected cost of \$13,476 and SLD approved a reimbursement of \$6,736; actual costs were \$3,772 so the 472 reimbursement request was reduced to \$1,961.

I hope this clarifies whatever it is you need. Mark: 608-663-5430

>>> SLD Problem Resolution <sld-problem-resolution@pearson.com> 3/4/2005 5:16:49 PM >>>

We are making this contact with you to obtain the necessary information to successfully data enter your Form 472 Billed Entity Applicant Reimbursement Form. Here is the information we need from you so that we may complete data entry of your application for E-Rate Discounts:

Block 1 item 3: The SPIN you listed 143016007 does not match the FRN # 964781 you listed for Entity 133013. Please look at your Funding Commitment Letter for the correct information. If you have changed providers then you will need to let me know and do a SPIN change request. If the SPIN is correct then I need you to withdraw this FRN and re-file under the correct SPIN number

Please make these corrections to your form and fax to my attention at 888-276-8736 or email the corrections to my attention at sid-problem-resolution@pearson.com. Please reference the application number or form identifier and include your full name and title in all correspondences. If you have any questions, please call me at 888-203-8100 and reference case number 21-170182

We need to receive this information from you within 7 calendar days of this communication with you. If we do not receive the requested information from you within this time frame, your Form 472 application will be rejected and returned to you.

Thank you, Pauline Njuguna, Client Service Bureau/Problem Resolution, Schools and Libraries Division, Help Line: (888) 203-8100, Fax: (888) 276-8736; E-Mail: sld-problem-resolution@pearson.com

Mon. 28Feb.05, 3:30pm: just received notification that SLD Appeal has been denied; phoned Bob Bocher & set up appt to review next steps; he recommended I contact Lynda Shots...

sent to Roger, Wed.9Feb.2005, 3:50pm, as erate note:

For the record... the SLD appeal has the assigned Case # 21-210638. All documentation has been verbally acknowledged as being on file and is being processed... with no available timeline for further information. Mark

>>> "Kostyak, Greg" <GKOSTYA@sl.universalservice.org> 1/12/2005 9:22:40 AM >>>

Going thru all my faxes and e-mails. Will let you know as soon as we can if anything is missing or still needed. Thanks!

-----Original Message-----

From: Mark Evans [mailto:mhevans@madison.k12.wi.us]

Sent: Wednesday, January 12, 2005 9:14 AM

To: Kostyak, Greg Subject: did you get FAX'es sent last Fri?

Greg, I had not heard back from you and wished to verify that you rec.'d the SLD related FAX'es I sent you last Fri. Please confirm by email or phone. Thanks, Mark: 608-663-5430

sent ~ 10am, 7Jan.: Thanks, Greg... but my copies of bills for 5 of the 7 FRNs are ~ 20 pgs each. The other 2 are ~ 10 pgs each.... so we're talking ~ 120+ pg. I would be glad to just FAX you my signed copy of your printed email and my 2 pg billing summary... but the 2 pg billing summary has the same info on it that I previously provided in my Yr6 appeal... so I concluded you really want the associated billing sheets. Would you call me and clarify... & then verify if you really want me to FAX all of these sheets? (I'm assuming I would have to do it in a sequence of FAX's of maybe 10 pg each.) I will look forward to hearing from you. Mark: 608-663-5430

>>> "Kostyak, Greg" <<u>GKOSTYA@sl.universalservice.org</u>> 1/7/2005 9:50:07 AM >>> My fax # is 973-599-6565. Thanks!

sent by Mark, Fri. 7Jan.05, 9:40am [Re: 518296-SLC 472 Invoice-1st Request]

Greg, I have harvested all info for you and have both a photo copy of all relevant bills as well as a 2 pg spreadsheet summary. I am about to verify whether I can extract specific sheets from the billing statements or ... I may just think it best to send you all statements, so you have them (along with my spreadsheet summary). My problem is that there is no phone #, FAX # or land address in your email and I want to make sure this gets to you. [This morning, I phoned SLD help to ask about how to reach you & got case # 21-188159. They said you might be in NJ... & that I should email you for contact info.] Can you give me a call (608-663-5430) or reply to this email with contact info? I wish to get my info off to you today, a full wk before your deadline.

Thanks, Mark H. Evans MMSD Dir.: Technical Services

>>> "Kostyak, Greg" <GKOSTYA@sl.universalservice.org> 12/19/2004 2:27:24 PM >>>

Mark, The following relates to your submitted form: Provider Invoice: YR6 472 TDS; SLC invoice: 518296

Service: Telecom

Undiscounted Amount: \$231,220.49=Requested: \$120,234.65=471 #:353089=FRN: 964471 Undiscounted Amount: \$ 99,221.07=Requested: \$ 51,594.96=471 #:353089=FRN: 964536 Undiscounted Amount: \$ 1,227.54=Requested: \$ 638.32=471 #:353089=FRN: 964554

Service: Internet Access

Undiscounted Amount: \$ 88,073.33=Requested: \$ 45,798.13=471 #:353212=FRN: 964763
Undiscounted Amount: \$ 1,622.02=Requested: \$ 842.40=471 #:353212=FRN: 964795
Undiscounted Amount: \$ 1,487.02=Requested: \$ 773.25=471 #:353212=FRN: 964794
Undiscounted Amount: \$ 501.62=Requested: \$ 249.29=471 #:353212=FRN: 964822

I am reviewing your request for reimbursement of the aforementioned FRN. Please send me a copy of the detailed bills you received from the service provider for the products/services requested on this invoice.

Please provide the page(s) that indicate the following:

- Total Current Charge,
- Bill Date,
- Bill-To Address, and
- Description of Products/Services Delivered (note that Call Detail is NOT required).

The following charges do not sufficiently describe the products/services delivered; if the bill indicates these charges, please also provide the additional page(s) that indicate the detailed breakdown of these charges:

- * Additional Charges/Credits.
- Enhanced Services,
- * Miscellaneous Charges/Credits,
- Optional Features, or
- * Other Charges/Credits.

Please note for FRNs involving telecom service-if this request for reimbursement is comprised of more than 20 bills per FRN, in lieu of all the bills, you may submit a worksheet that identifies the requested amount per bill (by month or account number, as applicable). Upon receipt of the worksheet by the SLD, you may be required to (a) provide either all the bills or a sampling of bills to verify the worksheet, and (b) certify the accuracy of the worksheet (See worksheet cert form that follows).

Need complete copies of all bills for FRNs involving internet access.

Please send us the requested information by no later than Friday, January 14, 2005. Failure to do so may result in the review being completed without sufficient documents to qualify payment. If you have any questions or need additional time, please contact me.

sent 16Sept04: 9:35am: to: Jackie Creel @ SLD

Jackie,

I received an email yesterday afternoon from SLD with an attached PDF containing the same error on page 6 as the paper copy version SLD had mailed to me. (The paper copy of page 6 was what I FAXed to you yesterday after speaking with you on the phone.) This morning, I replied to the email that had sent the PDF with the error (see the pasted copy in the bottom area of this email) and then received an auto reply (see the pasted copy immediately below this note) telling me that my reply to SLD was to an obsolete mail box. That doesn't make sense to me because if it was obsolete, they wouldn't have just sent me the message... At any rate, I will be interested in whether there is a correction available to page 6.

Thank you for your efforts to help.

Mark

>>> "SLD Client Operations" <SLDClientOperations@sl.universalservice.org> 9/16/2004 7:52:46 AM >>>
Thank you for your correspondence to the Schools and Libraries Division of the Universal Service Administrative Company

Thank you for your correspondence to the Schools and Libraries Division of the Universal Service Administrative Company. HOWEVER, YOU ADDRESSED YOUR CORRESPONDENCE TO AN OBSOLETE E-MAIL BOX. Messages to this box are not reviewed.

E-rate Program information may be obtained at the Schools and Libraries Division web site at http://www.sl.universalservice.org. You may also submit a question or request by clicking the link "Submit A Question" available at the same address.

Schools and Libraries Division

sent by Mark: 16Sept.04, 7:52am: to SLD Client Operations: SLDClientOperations@sl.universalservice.org:

Folks, You will notice that the PDF of the SLD letter you sent on 15Sept. also has incomplete info at the top of page 6, just like the paper mailed copy you previously sent ... which I FAXed back to you yesterday. Pls let me know if you have a corrected version of your letter. Mark: Mark Evans, Madison Metropolitan School District, Madison, WI, 608-663-5430

13Sept04: 3:38pm: Bob, So you know, I received the Yr.6 SLD 486 Notification Letter <u>a few minutes ago</u>. (Getting impatient, I had actually phoned Jackie @ SLD 30 min. a go asking her if she knew when it might be coming. ... I guess I'd have to say, based on the phone call... she was very fast.) An appeal (officially to be postmarked within 60 days of 15Sept04... the date on the letter) is warranted and I will be initiating it tomorrow. I will be reviewing my appeal process with you. Best regards, Mark

>>> "Linda Schatz" <lschatz@edtechstrategies.net> 9/3/2004 1:48:09 PM >>> Roger and Mark:

Per our conversation earlier this week, I have prepared a sample scope of work that may be appropriate for the types of services you are looking to bid for the upcoming E-rate Funding Year 2005. Note that I did not include those activities that we discussed which are outside the project period for Funding Year 2005, i.e. the potential appeal for Funding Year 2003 and the Form 486 and 472 submissions for Funding Year 2004. As we discussed, you would likely want to contract for those short-term activities on an hourly basis. One reason for managing these events separately, is that you could likely move more quickly to get the FY 2003 and FY 2004 activities started. You will only have 60 days from any 486 notice to deal with appeals on that front for Funding Year 2003 and you only have until October 28, 2004 to file your Forms 486 for Funding Year 2004 if those services started on July 1, 2004 without loss of funds.

If it is better for you, however, to provide one scope document for bid purposes rather than to manage these events separately, you may wish to add these items to the scope of your RFP. Let me know if I can be of further assistance or if this is not what you were looking for. Linda, Linda S. Schatz, President, EdTech Strategies, LLC, <u>Ischatz@edtechstrategies.net</u>, 301-540-1757 (voice), 202-251-4097 (mobile) 301-540-4757 (fax)

8:43am: Thank you, Jackie. Mark

>>> SLD Problem Resolution <sld-problem-resolution@pearson.com> 9/2/2004 8:39:15 AM >>>

Mark. I have received your fax, and will make the corrections today. Jackie Creel

sent 2Sept.04, 8:30am: Jackie,

I just sent the info below, along with a 2nd page, corrected Block 4, to the FAX # you provided below. Please confirm via email that you received the FAX. Best regards, Mark

Jackie.

This will serve as a cover sheet to a corrected, photo copy of Block 4. I apologize for my error.

Mark Evans, Dir. Technical Services, 608-663-5430, Madison Metropolitan School District, Madison, WI 53703

Form Identifier: 486vr6C

all are NOT, therefore, am NOT saying "NONE"

Please call me at the number above, if you have any questions.

>>> SLD Problem Resolution <sld-problem-resolution@pearson.com> 9/1/2004 2:27:52 PM >>>

We are making this contact with you to obtain the necessary information to successfully data enter your Form 486 Receipt of Service confirmation Form. Here is the information we need from you so that we may complete data entry of your application for E-Rate Discounts;

Block 4 Item 8: The Tech Plan Approver is INVALID. Please provide the name of the organization who approved a technology plan for the services listed on this Form 486. Please keep in mind that the approver must be one of the certified approvers listed on our website. If all of the Funding Request Numbers are for basic telephone services, enter "none." Please make these corrections to your form and fax to my attention at 888-276-8736 or email the corrections to my attention at sid-problem-resolution@pearson.com. Please reference the application number or form identifier and include your full name and title in all correspondences. If you have any questions, please call me at 888-203-8100 and reference case number 21-124759. We need to receive this information from you within 7 calendar days of this

communication with you. If we do not receive the requested information from you within this time frame, the affected Funding Request Number (FRN) information in Block 3 will not be processed.

Thank you, Jackie Creel, Technical Client Service Bureau, Problem Resolution, 888-203-8100 (Phone), 888-276-8736 (Fax)

sld-problem-resolution@pearson.com

>>> "Sanders, Stephen DPI" <Stephen.Sanders@dpi.state.wi.us> 8/30/2004 12:42:16 PM >>>

The SLD has temporarily suspended E-rate funding commitment letters while they move to federal accounting standards.

The announcement on their site says: http://www.sl.universalservice.org/whatsnew/2004/082004.asp#081904

"SLD TEMPORARILY SUSPENDS ISSUANCE OF FUNDING COMMITMENT DECISION LETTERS (8/19/04)

USAC has been directed by the FCC to move to government accounting standards by October 1, 2004, and this has raised potential budget authority issues that may impact USAC. As a result, SLD has not issued FCDLs for any Funding Year since August 3, 2004, and will be temporarily suspending further issuance of such letters. USAC is working with the FCC to resolve these issues and, once that happens, SLD will resume issuing commitment letters. In the meantime, SLD is continuing to review applications so that, when the matter is resolved, we will be in a position to issue FCDLs. USAC expects the issue to be resolved in the near future."

E-Rate Central (http://www.e-ratecentral.com/) reports that: "The suspension affects additional funding for FY 2004, the remaining funding for FY 2003, and miscellaneous new funding associated with earlier funding years. The action affects only new funding commitments, and has not halted the authorization or disbursement of BEAR or service provider invoices for previously committed funds.

from Mark: 31Aug04: Linda,

The URL for MMSD's Tech Plan, as submitted to DPI in June2003, is posted at http://www.madison.k12.wi.us/techplan/ The 1st link is the "instructional" piece and the 2nd is to our technical infrastructure. The 3rd link provides a page with links to all of the appendices referred to in the technical infrastructure section.

I will send you the URL on our June04 infrastructure update, likely, this afternoon. [We had had some page updates & I need to verify that it's ready for prime time.]

As to the Yr6 invoice summary, I determined (today!) that the 11th listed 471 application's (TDS Metrocom, 608-204-7999) June04 invoice had had a billing error, was bounced back to TDS and resubmitted in July and paid in July04... so presumably can not be added to the eRate reimbursement requested amt for Yr6.

As to the Yr6 468 filing, (Tracking # ER96 3315 155U S), it "was delivered at 10:15 am on August 16, 2004 in LAWRENCE, KS 66044 to SLC SLD. The item was signed for by M HODGES", but I have not yet received any reciept notification letter from SLD.

Best wishes, Mark

from Mark: 26Aug.2004: Many thanks for this background, Linda. Best regards, Mark >>> "Linda Schatz" <lschatz@edtechstrategies.net> 8/25/2004 4:46:28 PM >>>

Per our discussion, I've attached a statement of qualifications to provide E-rate consulting and application assistance services. If you require anything further in this area, just let me know. I'd be happy to provide a resume if you feel that would be of interest to Mr. Price.

With regard to other work performed in the State of Wisconsin, we have provided E-rate services this past year to Milwaukee Public Schools having worked with their lobbyist here in Washington, DC and their City Attorney's Office to prepare a multi-million dollar appeal on their behalf both to the SLD and to the FCC. In our role as E-rate advisors to the American Library Association, we have also worked with Bob Bocher in your WI Department of Public Instruction. Bob is the current chair of the ALA E-rate Task Force and we have worked with him and others in resolving multiple E-rate issues, are participating in bi-weekly conference calls with the SLD to receive program updates and have prepared comments in response to the latest Federal Communications Commission Notice of Proposed Rulemaking in the E-rate Docket.

We are also finalizing negotiations to provide E-rate consulting services in the upcoming funding year for Chicago Public Schools. We hold contracts for E-rate services with the State of Michigan and the private schools in the Virgin Islands, and have just completed an appeal for the State of North Carolina. We also provide application assistance to several small schools and libraries in Pennsylvania. In addition to E-rate services, we provide

other technology-related support services. We have just completed a two-year broadband development project with the State of Michigan, and we currently provide technology support and consulting services to the Association of Educational Services Agencies and to EdLinc--a group of education and library associations here in DC. In our work with the State of Michigan and the U.S. Virgin Islands, we are eligible to attend the national conference being held by the SLD in late September. This conference provides an opportunity to receive updates on any program changes and compliance interpretations--information that is invaluable to our clients.

If you require any further information, Mark, as to our background and/or ability to provide E-rate consulting services, don't hesitate to contact me. Linda, Linda S. Schatz, President, EdTech Strategies, LLC, lschatz@edtechstrategies.net, 301-540-1757 (voice), 202-251-4097 (mobile) 301-540-4757 (fax)

sent: 6:36am, 26Aug.04: Linda, attached are 2 spreadsheets:

- 1. Year6 eRate data: shows application details, funding request and funding rept info... with AT&T crossed out & 2 other applications' costs not expended...& refers to note at bottom on invoice summary
- Yr6 invoice summary: after completing getting all info on invoices (except for 1 row 1/4 way up on 1st pg for which Bldg.Serv. is trying to
 locate June04 data), each invoice within each service or account is listed; I recalculated 52% of actual costs & compared with eRate
 commitment & then put actual eRate eligible in blue column... showing that after Wiscnet discounts, we should now be getting back \$268k.

Let me know if you have questions re. this. Best wishes.

Mark

sent by Mark, 25Aug.04, 11:46: Linda, I thought I would bounce you an email to see if we might be able to connect yet this week to determine when we might be able to talk further about our eRate consulting needs. Please give me a call when you can. You can try my office # 608-663-5430 or my cell # 608-576-4065, Very best wishes! Mark

Linda said there are 3 ways she could do billing: <a href="https://hourly.com

16Aug.04: It was not military service. I used vacation time. I was with 2 members of the USDA, in an extremely remote area of the Western Amazon, collecting insects for US museums. I collected over 8,000 specimens, some of which have already gone to the Smithsonian, UW-Madison, and a specialist in TX. I will be taking more material yet being processed, to the NYS Museum in Albany this coming Oct. I'm not sure it's much of a hook. Was I preoccupied? Yes, extremely. I was in training and preparations for over 1 yr. Did I think it interfered with my responsibilities? I try to be extremely diligent and responsible and would not want to think it did. Mark

>>> "Linda Schatz" < schatz@edtechstrategies.net > 8/16/2004 1:25:39 PM >>>

Mark-- Is there any chance that your trip to Ecuador was for any type of military service or was it for vacation. I'm just looking for any hook we can use as the basis for an appeal should you decide you want to move forward with one. Linda

sent by Mark: 16Aug.04:

Thank you, Linda. I appreciate your comments. I will look forward to hearing from you by next wk.

As an added comment, it's hard for me to express how frustrating it feels when I know I sincerely tried to do everything right for Yr6 and keep on top of all details. I was just reading an email I had sent 12Sept.03 to folks on this end & in Acctg, describing our status of Yr5 reimbursements, our confirmation of Yr6 SLD Commitments and planning meetings to begin Yr7 forms processing. As I was about to leave for Ecuador in Oct., I was very committed to insuring all relevant info was clear and ready for anyone else should I not make it back in 1 piece. I clearly had no perception I had anything hanging out yet to do in the fall on Yr6. I am attaching a copy of that email here, so you see how I tried to document where I thought we were.

Best regards, Mark

PS: I'm copying Bob Bocher @ DPI, to keep him informed.

>>> "Linda Schatz" <|schatz@edtechstrategies.net> 8/16/2004 11:36:42 AM >>>

Thanks, Mark. You're right! You did a good job of documenting the services and funding you were requesting. This information is very helpful. I'll get back to you no later than the first of next week with pricing. Linda

Linda S. Schatz, President, EdTech Strategies, LLC, <u>Ischatz@edtechstrategies.net</u>, 301-540-1757 (voice), 202-251-4097 (mobile), 301-540-4757 (fax)

----Original Message----

From: Mark Evans [mailto:mhevans@madison.k12.wi.us]

Sent: Monday, August 16, 2004 11:54 AM

To: <u>lschatz@edtechstrategies.net</u> Subject: attached Yr.6 spreadsheet

See attached spreadsheet; note that some vendors are changed & I will be pdating some SPINs... Mark 608-663-5430

Track & Confirm Current Status

You entered ER96 3315 155U S

Your item was delivered at 10:15 am on August 16, 2004 in LAWRENCE, KS 66044 to SLC SLD. The item was signed for by M HODGES

486 sent, via US Mail: Express Mail @ 9:04am, 13Aug: ETA: by noon, 14Aug.: tracking # ER 963315155 US

Fri.13Aug.04: Many thanks, Bob! I will contact her. Attached is a short summary of this, so far. Let me know if you have suggestions. Mark May we all have a peaceful weekend.

"Bocher, Robert DPI" <Robert.Bocher@dpi.state.wi.us 8/13/2004 2:34:56 PM

Mark: Yes, good luck and keep me informed. Here's Linda's info.

Linda S. Schatz, President, EdTech Strategies, LLC, <u>Ischatz@edtechstrategies.net</u>, 301-540-1757 (voice), **202-251-4097 (mobile)**, 301-540-4757 (fax); She is the former director of outreach services at the SLD and knows the program inside and out. - Bob

----Original Message----

From: Mark Evans [mailto;mhevans@madison.k12.wi.us]

Sent: Friday, August 13, 2004 2:31 PM To: robert_bocher@dpi.state.wi.us

Subject: thanks!!

[I'm resending this to you. I sent it to you, copying Roger, this am... but it bounced as undeliverable. There seem to be a few flaky email events today, we're hearing about...]

Bob, I do wish to thank you for your eRate suggestions & comments, this morning. I presented the situation to Roger Price @ ~ 8am, after

speaking with you.

The signed 486 (with all 16 FRNs, excluding WiscNet) is en route to SLD @ Lawrence, Kansas via US Express Mail. I plan to proceed with 472 (s..?) next wk & have a ~ 4" thick pile of copies of associated Yr6 telecom invoices & POs as documentation. Should/when there are any SLD issues raised from the filed 486, I will be in touch with you for assistance and advice to prepare an appeal, if necessary, to obtain MMSD's Yr6 eRate reimbursements, per SLDs May,June,Aug 03 Funding Commitment Reports. Meanwhile, I am summarizing background on this situation for Roger and will also share it with you.

I will also look forward to getting contact info from you for Lynda Shotts (sp ??) as a possible vendor/consultant for school district eRate filing management. I've been considering the wisdom of recommending an outside manager for MMSDs eRate for some time. A conversation with her is a good place for me to move on this and then I will review this with Roger and our Dir. of Administrative Services.

Very best regards, Mark 663-5430